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December 6, 2004

T.R.A. DOCKET ROOM

IN RE: Petition of King's Chapel Capacity,) Docket No. 04-00335
LLC for Certificate of Convenience and)
Necessity to Serve an Area in Williamson,)
County, Tennessee Known as Ashby Community)

**TENNESSEE WASTEWATER SYSTEMS' FIRST SET OF DISCOVERY REQUESTS
AND INTERROGATORIES TO KING'S CHAPEL CAPACITY, LLC**

Comes now Tennessee Wastewater Systems ("TWS"), through counsel, pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, and submits its First Set of Discovery Requests and Interrogatories to King's Chapel Capacity, LLC ("King's Chapel").

As provided in Rules 26, 33, and 34 of the Tennessee Rules of Civil Procedure, the Interrogatories contained herein are to be answered separately and under oath within 30 days following service of the same. These Interrogatories are to be considered continuing in nature and are to be supplemented from time to time as new information is received that would either make the prior answer incorrect, inadequate or incomplete. The Requests for Production of Documents are to be answered separately in writing within 30 days following service of the same. The documents themselves shall be produced at the offices of the undersigned counsel within 30 days following service of these Requests for Production or such other time and place as may be agreed.

If King's Chapel refuses to answer any of the Interrogatories, in whole or in part, or refuses to produce any requested document on the basis of privilege, please describe the information or document withheld and the basis for King's Chapel's refusal to provide same, including a sufficiently detailed explanation of any claim of privilege or work product to permit the Court to adjudicate the validity of King's Chapel's claim.

If any Interrogatory is deemed to call for information contained in a privileged communication, either oral or written, or information protected from disclosure by the work product doctrine or otherwise, please provide a list of each oral or written communication and specify:

- (a) the identity of the speaker or author;
- (b) the identity of the person to whom the communication was directed;
- (c) the identity of all other persons who were present at the time of the written communication;
- (d) the date of the communication;
- (e) the manner in which the communication was made;
- (f) a statement of the facts constituting the basis for withholding the information;
- (g) identification of the Interrogatory, including any subparagraphs, to which the information or document relates; and
- (h) identification of the document or oral communication withheld.

DEFINITIONS

As used herein, the following words have the following meaning:

1. "Person" or "persons" shall include natural persons, firms, partnerships, associations, joint venturers, corporations, governmental agencies, boards, authorities, commissions and any other form of legal entity.

2. "State," "identify" and "describe" mean to specifically state all information known or available to Plaintiff regarding the person, event, act, item, thing or document to which reference is made, including but not limited to the following:

(a) In the case of natural persons, his or her full name and last known address;

(b) In the case of business concerns, its full name and last known address;

(c) In the case of an item or thing other than a document, a description of its characteristics and the full name and address of the persons presently having control, custody or possession of it;

(d) In the case of any act or event, the date it occurred and the full name and last known address of each person involved or observing the same;

(e) In the case of a document, its date, author, recipient or the person for whom it was prepared, type of document (e.g. letter, memoranda, chart or other category), present location, and custodian. If the document was, but no longer is, in King's Chapel's possession or control, or is no longer in existence, state whether it has been lost, destroyed, transferred, or otherwise disposed of. In each instance, explain the attendant circumstances of said disposition.

3. "Document" or "documents" means all forms of expression subject to discovery under Rule 34, including but not limited to the original, and all copies that differ in any respect

from the original, any copy of all handwritten, printed, typewritten, computer-generated, recorded, graphic or photographic material of any kind or character, as well as all tapes, disc, non-duplicate copies and transcripts thereof, now or formerly in the actual or constructive possession, custody or control of King's Chapel and/or its current or former agents, employees, officials, or representatives, including attorneys. Without limiting the generality of the foregoing definition, but for the purposes of illustration only, "document" includes notes, drafts, letters, correspondence, telegrams, memoranda, calendars, diaries, records, minutes, contracts, agreements, notations of conversations or conferences, interoffice communications, bulletins, circulars, pamphlets, studies, notices, summaries, reports, books, electronic data processing media, teletyped messages, electronic mail, tape recordings, photographs, facsimiles, films, video tapes, compilations of data, standards, drawings, graphs, charts, tables, financial statements and records, invoices, worksheets, ledgers, and vouchers.

4. "Communication" means every manner or means of disclosure, transfer, or exchange.

5. "You" or "your" refers to King's Chapel, any and all of its agents, employees, contractors, and attorneys, as well as any affiliated companies, partnerships, organizations, associations or other entities.

6. "The Application" refers to King's Chapel's application for a Certificate of Public Convenience and Necessity, pending as Docket No. 04-00335 before the Tennessee Regulatory Authority.

INTERROGATORIES

1. Please identify all persons who participated in answering these Interrogatories. If more than one person, please state to which interrogatory each person responded.

RESPONSE:

2. Please list any and all lawsuits, civil and/or criminal, to which King's Chapel has been a party. For each lawsuit, please provide the following: the jurisdiction in which each lawsuit was filed, the basis of each lawsuit and the disposition of each lawsuit.

RESPONSE:

3. Please identify all individuals who have an interest, whether it financial, through employment or otherwise, in King's Chapel, and as to each such individual, state the following: what money they have invested, if any, in King's Chapel, and the date of said investment; what job title they have with King's Chapel, if any, and the date said employment commenced; and what other officer or board position they hold with King's Chapel, if any, and the date said officer or board position commenced.

RESPONSE:

4. Please identify all applications for any licensure or approval, whether from local, state or federal authorities, King's Chapel has submitted, and as to each such application, state the authority to whom it was submitted, the licensure or approval sought, the date of said application, and the status of said application.

RESPONSE:

5. Please identify the individual or individuals who prepared the Application, and as to each such individual or individuals, state the specific portions of the Application prepared or contributed to, and all sources of information relied upon for said preparation or contribution.

RESPONSE:

6. Please identify who constructed the system for which King's Chapel seeks approval through this action, the current owner of the system, and how that ownership was obtained, or the basis for said ownership.

RESPONSE:

7. Describe in detail the relationship among King's Chapel, J. Powell Development, LLC, Ashby Communities, LLC, Hang Rock, LLC and Arrington Meadows, LLC including, but not limited to, any commonalities in ownership, operation, joint ventures and jointly held property or licensures.

RESPONSE:

8. Provide the factual basis for your statement, in paragraph 2 of the Application, that Ashby Communities, LLC has constructed a wastewater system and transferred this system to King's Chapel to operate. In answering this Interrogatory, clearly explain in what manner or through what mechanism Ashby Communities, LLC claims to have constructed the wastewater system that is the subject of the Application, and pursuant to what authority it transferred the system to King's Chapel to operate.

RESPONSE:

9. Identify the owner or owners of the real property King's Chapel identifies in the Application, at paragraph 6 and with Exhibit 2, as the service area for which it seeks authority to operate wastewater disposal systems. As to each such owner or owners identified, state the dates of property acquisition, from whom the property was acquired, percentage of ownership and which portion of the real property he or she or it owns.

RESPONSE:

10. Identify what entity, to which you refer in paragraph 7 of the Application, was granted, by the "TDEC, Division of Water Pollution Control," approval for the system that is the subject of the Application. In your response, state when the subject approval was granted initially, if there has been any transfer of approval, and if so, when and to whom and through what means.

RESPONSE:

11. Provide the factual basis for your statement, in paragraph 8 of the Application, that “Wastewater services are nor available from any other utility company in the proposed service area” given the fact that TWS is a public utility authorized to provide wastewater treatment systems in the proposed service area.

RESPONSE:

12. Identify the “various legal, accounting and regulatory experts” King’s Chapel has engage to assist it with the “managerial duties” associated with operating the system identified in the Application. As to each such expert, state the date of hire, area of expertise, background and/experience in that area of expertise, the basis for compensation (i.e. hourly rate, set fee) and the amount of compensation paid to date.

RESPONSE:

13. Identify when James Johnson, referenced in paragraph 12 and Exhibit 6 of the Application, was retained by King's Chapel to operate the system referenced in the Application, and the terms of employment offered (i.e. rate of pay, duration of employment). If it is not King's Chapel's intention to hire Mr. Johnson as an employ, explain the type of relationship anticipated, and the terms of said relationship.

RESPONSE:

14. Identify what individuals participated in the preparation of Exhibit 7 to the Application, and as to each such individual, state what portion of Exhibit 7 he or she prepared, and the basis for knowledge for the information included in those portions.

RESPONSE:

15. Identify what interest, if any, King's Chapel believes that TWS has in the system that is the subject of the Application. If King's Chapel opines that TWS does not have any interest in the system, explain the basis for that opinion given that TWS engaged and paid a licensed contractor to construct the system, had a contract with a purported property owner to do so, and has not been paid in full pursuant to that contract.

RESPONSE:

16. Other than documents filed in this proceeding, describe each substantive communication between, on the one hand, a staff member or Director of the Tennessee Regulatory Authority and, on the other hand, an attorney, consultant, or other representative of King's Chapel concerning this Application or TWS. Specify the date, substance, and participants to each such communication.

RESPONSE:

PRODUCTION REQUESTS

1. Please provide any and all documents used in assisting you in your responses to the Interrogatories set out above.

RESPONSE:

2. Please provide all documents related to the formation of King's Chapel including, but not limited to, articles of organization, operating agreements and reports to the Tennessee Secretary of State.

RESPONSE:

3. Please provide all documents in your possession that relate to the financing of King's Chapel including, but not limited to, performance bonds, letters of credit and bank accounts.

RESPONSE:

4. Please provide all documents that support allegations you have made, to Williamson County and State of Tennessee authorities, regarding purported financial problems of TWS, and other entities with common ownership.

RESPONSE:

5. Please provide all documents prepared for King's Chapel by the experts referenced in its Application at paragraph 11.

RESPONSE:

6. Please provide all documents in your possession related to the wastewater disposal system that is the subject of the Application including, but not limited to, those referencing its construction, financing and disputes related to its ownership.

RESPONSE:

7. Please provide a copy of all contracts King's Chapel has with any individual or entity including, but not limited to, employment agreements and joint venture agreements.

RESPONSE:

8. Please provide a copy of all personal guarantees executed by any individual involved with King's Chapel, for the benefit of King's Chapel.

RESPONSE:

9. Please provide a copy of all documents King's Chapel has filed with, or otherwise sent to, any local, state or federal authorities, for any reason.

RESPONSE:

10. Please provide all documents that evidence King's Chapel's interest to the real property that comprises the service area that is the subject of the Application.

RESPONSE:

11. Please provide all documents that evidence King's Chapel's interest in the system that is the subject of the Application.

RESPONSE:

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: Henry M. Walker KG
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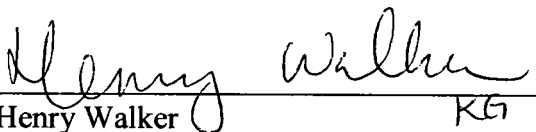
Certificate of Service

I hereby certify that a true and correct copy of the foregoing has been served, via U.S. Mail, postage pre-paid, upon the following:

Richard Miltana
Miltana & Militana
5845 Old Highway 96
Franklin, TN 37064

Charles B. Welch, Jr.
Farris Mathews Branan Bobango Hellen & Dunlap, PLC
618 Church Street, Suite 300
Nashville, TN 37219

this the 6th day of December, 2004.


Henry Walker KG

VERIFICATION OF INTERROGATORY RESPONSES

I, _____, first being duly sworn, affirm that the Interrogatory Responses set forth above are true, accurate, and complete, and that they are in no way misleading or calculated to withhold information that is available to me and is requested by the Interrogatories. I understand that my signature below is subject to penalties of perjury.

By: _____
Signature of Authorized Representative for
King's Chapel Capacity, LLC

Title: _____

STATE OF _____)
)
COUNTY OF _____)

Personally appeared before me the above named _____
known to me personally or made known to me by satisfactory proof, who was duly sworn and on
oath executed the above information.

Notary Public
My commission expires: _____